

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

MARY B. PURKERSON,

Plaintiff,

v.

CREDIT PROS INTERNATIONAL
CORPORATION,

Defendant.

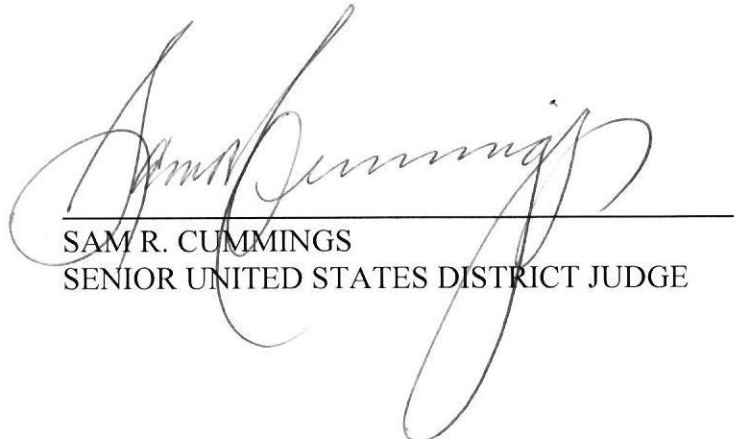
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Civil Action No. 6:23-CV-060-C

ORDER

On this date, the Court considered Defendant's Motion to Dismiss, filed November 20, 2023. Plaintiff failed to file a response and the Motion is deemed unopposed. For essentially the reasons argued in Defendant's Motion, the Court finds that the Motion should be **GRANTED**. More specifically, Plaintiff's Complaint fails to allege any circumstances of fraud with particularity as required by Federal Rule of Civil Procedure 9(b) and thus fails to state a claim for which relief may be granted. As such, Plaintiff's claims brought under 15 U.S.C. § 1679b(a)(3)-(4) (Count I(a)), Texas Financial Code § 393.304(1), § 393.305, § 394.207, and § 394.212 (Count II(a)), and Count III(a)-(b)) are **DISMISSED WITH PREJUDICE**.¹

SO ORDERED this 18th day of December, 2023.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE

¹However, Defendant clarifies that it does not seek dismissal of Count I(b), predicated on 15 U.S.C. § 1679c. (Def.'s Mot. at 2 n. 1). That claim remains pending.